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Gyne Risner

Date

05/02/06

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

U.S. National Phase of:

International Application No.: PCT/US2004/025914

International Filing Date: 12 August 2004

Applicant: Feng Xu

For: INACTIVATED HOST CELL DELIVERY OF POLYNUCLEOTIDES  
ENCODING IMMUNOGENS

**INFORMATION DISCLOSURE STATEMENT**

MAIL STOP AMENDMENT

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56 and in accordance with 37 C.F.R. §§ 1.97 and 1.98, information relating to the above-identified application is hereby disclosed, the Examiner in charge of the above-identified application is requested to consider and make of record the references listed on Form PTO/SB/08, submitted herewith.

Inclusion of the information submitted herewith is not to be construed as an admission that the information is material as that term is defined in 37 C.F.R. § 1.56(b).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Information Disclosure Statement shall not be construed to mean that a search has been made.

**This Information Disclosure Statement is being filed:**

- within three months of the filing date of the patent application.
- within three months of the date of entry into the national stage as set forth in 37 C.F.R. § 1.491 of the international application.
- before the mailing date of a first Office Action on the merits.

- after the mailing date of a first Office Action on the merits, but before the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, and accordingly is accompanied by:
  - the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below);

or
  - the Fee of \$180.00 set forth in 37 C.F.R. § 1.17(p); or
  - No fee is owed by the applicant(s).
- In accordance with 37 C.F.R. § 1.129(a), this Information Disclosure Statement is being filed in connection with  the first or  second After Final Submission, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e) (see "Statement" below) and the fee of \$180.00 as set forth in 37 C.F.R. § 1.17(p), is attached.
- after the mailing date of a Final Office Action under 37 C.F.R. § 1.116 or a Notice of Allowance under 37 C.F.R. § 1.311, but before the payment of the Issue Fee, and accordingly is accompanied by the Statement under 37 C.F.R. § 1.97(e), (see "Statement," and "Fees" below).
- Copies of the references listed on the attached Form PTO/SB/08, are enclosed.

**EXCEPT THAT:**

- In view of the voluminous nature of reference @@, and the likelihood that this reference is available to the Examiner, copies are not enclosed herewith.
- In accordance with 37 C.F.R. § 1.98(d), copies of the following references listed on the attached Form PTO/SB/08 are not enclosed herewith because they were previously cited by or submitted to the U.S. Patent and Trademark Office in patent application(s) for which a claim for priority under 35 U.S.C. § 120 have been made in the instant application.

If any of the foregoing publications are not available to the Examiner, Applicant will endeavor to supply copies at the Examiner's request.

**Statement under 37 C.F.R. § 1.97(e)**

The undersigned attorney hereby states that the references contained in the Information Disclosure Statement were cited in a communication from a foreign patent office in a counterpart foreign patent application not more than three months prior to the filing of the Information Disclosure Statement. A copy of the communication (International Search Report) is enclosed.

**Fees**

No Fee is owed by the applicant(s).

The Information Disclosure Statement Fee of \$180.00 under 37 C.F.R. § 1.17(p) is enclosed herewith.

**Method of Payment of Fees**

Attached is a check in the amount of \$180.00. This form is submitted in duplicate.

Charge Deposit Account No. 03-1664 in the amount of \$180.00. This form is submitted in duplicate.

Please charge any deficiency or credit any overpayment to Deposit Account 03-1664.

No fee or Statement is required under 37 C.F.R. § 1.97(b).

Respectfully submitted,

Dated: May 2, 2006

BY:

H.L.  
Helen Lee  
Registration No. 39,270

CHIRON CORPORATION  
Intellectual Property – R440  
P.O. Box 8097  
Emeryville, CA 94662-8097  
Telephone: (510) 923-2192



THE UNITED STATES PATENT AND TRADEMARK OFFICE INFORMATION DISCLOSURE STATEMENT PTO/SB/08 (MODIFIED)		ATTORNEY DOCKET NO. PP019817.0003	APPLICATION NO. (International) PCT/US2004/025914
SHEET 1 OF 1		FIRST NAMED INVENTOR Feng Xu	EXAMINER Unassigned
		FILING DATE (International) August 12, 2004	
		CONFIRMATION NO.	GROUP ART UNIT Unassigned

U.S. PATENT DOCUMENTS				
EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER	ISSUE DATE/ PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT
	A1			
	A2			
	A3			

FOREIGN PATENT DOCUMENTS					
EXAMINER INITIAL	REF. NO.	DOCUMENT NUMBER	PUBLICATION DATE MM-DD-YYYY	NAME OF PATENTEE OR APPLICANT OF CITED DOCUMENT	TRANSLATION YES NO
	B1				
	B2				
	B3				

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, etc.)		
EXAMINE R INITIAL	REF. NO.	DESCRIPTION
	C1	JAFFE et al., "Considerations for the Clinical Development of Cytokine Gene-Transduced Tumor Cell Vaccines" <i>Methods: A Companion to Methods in Enzymology</i> (1997) <u>12</u> :143-153
	C2	KOJIMA et al., "Granulocyte-Macrophage Colony-Stimulating Factor Gene-Transduced Tumor Cells Combined with Tumor-Derived gp96 Inhibit Tumor Growth in Mice", <i>Human Gene Therapy</i> (2003) <u>14</u> :715-728
	C3	TJOA et al., "Progress in Active Specific Immunotherapy of Prostate Cancer", <i>Seminars in Surgical Oncology</i> (2000) <u>18</u> :80-87
	C4	ZHAN et al., "Control of IL-12 and IFN-Gamma Production in Response to Live or Dead Bacteria by TNF and Other Factors", <i>J. Immunology</i> , (1988) <u>161</u> :1447-1453
	C5	
	C6	
	C7	
	C8	
	C9	
	C10	

EXAMINER'S SIGNATURE	DATE CONSIDERED
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